

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-NINTH LEGISLATURE

NINETEENTH LEGISLATIVE DAY  
FRIDAY, JANUARY 25, 2008

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 58 members present.

Absent and excused – Anderson, Bedke, Clark, McGeachin, Nielsen, Schaefer, Shepherd(2), Smith(30), Smith(24), Snodgrass, Thayne, Wood(35). Total – 12.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Bethanne Weston, Page.

### Approval of Journal

January 25, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighteenth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

### Report of Standing Committees

January 25, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 402, H 403, H 404, H 405, H 406, H 407, H 408, H 409, H 410, H 411, H 412, H 413, H 414, H 415, H 416, H 417, H 418, and H 419.**

CLARK, Chairman

**H 402, H 403, and H 413** were referred to the State Affairs Committee.

**H 404, H 405, H 406, and H 407** were referred to the Resources and Conservation Committee.

**H 408, H 409, and H 417** were referred to the Judiciary, Rules, and Administration Committee.

**H 410** was referred to the Health and Welfare Committee.

**H 411 and H 412** were referred to the Business Committee.

**H 414 and H 416** were referred to the Commerce and Human Resources Committee.

**H 415** was referred to the Agricultural Affairs Committee.

**H 418 and H 419** were referred to the Revenue and Taxation Committee.

January 24, 2008

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 356** and **H 363** and recommend that they do pass.

WOOD, Chairman

**H 356 and H 363** were filed for second reading.

January 24, 2008

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 361** and **H 362** and recommend that they do pass.

BLOCK, Chairman

**H 361 and H 362** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 420 BY LOCAL GOVERNMENT COMMITTEE AN ACT

RELATING TO THE PAYMENT OF PROPERTY TAXES; AMENDING SECTION 63-201, IDAHO CODE, TO DEFINE ADDITIONAL TERMS; AMENDING SECTION 63-901, IDAHO CODE, TO PROVIDE THAT COUNTIES MAY ALLOW FOR PAYMENT OF TAXES BY USE OF DEBIT CARDS, CREDIT CARDS AND ELECTRONIC FUNDS TRANSFERS; AMENDING SECTION 63-510, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 63-1703, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

#### HOUSE BILL NO. 421 BY CLARK AN ACT

RELATING TO ACTIONS IN PARTICULAR CASES; AMENDING TITLE 6, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 27, TITLE 6, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE PROCEDURES INVOLVING STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION, TO PROVIDE FOR A MOTION TO DISMISS, TO PROVIDE PROCEDURES, TO PROVIDE FOR THE AWARD OF COSTS AND ATTORNEY'S FEES AND TO PROVIDE EXCEPTIONS.

**HOUSE BILL NO. 422**  
**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY**  
**COMMITTEE**  
 AN ACT

RELATING TO ENERGY EFFICIENT STATE BUILDINGS; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 29, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE FINDINGS AND INTENT, TO DEFINE TERMS AND TO PROVIDE REQUIREMENTS FOR MAJOR FACILITY PROJECTS.

**HOUSE BILL NO. 423**  
**BY EDUCATION COMMITTEE**  
 AN ACT

RELATING TO VIRTUAL SCHOOLS; AMENDING SECTION 33-5202A, IDAHO CODE, TO REMOVE A DEFINITION AND TO DEFINE A TERM; AND AMENDING SECTION 33-5205, IDAHO CODE, TO PROVIDE FOR ADDITIONAL STATEMENTS REQUIRED IN A PETITION TO ESTABLISH A PUBLIC VIRTUAL SCHOOL.

**HOUSE BILL NO. 424**  
**BY APPROPRIATIONS COMMITTEE**  
 AN ACT

RELATING TO THE APPROPRIATION TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2008; AMENDING SECTION 1, CHAPTER 232, LAWS OF 2007, TO REVISE THE APPROPRIATION TO THE BOARD OF TAX APPEALS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 425**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO COMMODITY DEALERS; AMENDING SECTION 69-502, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 69-503, IDAHO CODE, TO REVISE LICENSE AND FINANCIAL RESPONSIBILITY REQUIREMENTS FOR COMMODITY DEALERS; AND AMENDING SECTION 69-514, IDAHO CODE, TO REQUIRE CERTAIN LICENSES FOR COMMODITY DEALERS WHO PURCHASE AGRICULTURAL COMMODITIES BY CREDIT-SALE CONTRACTS.

**HOUSE BILL NO. 426**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO IDAHO AG IN THE CLASSROOM; AMENDING SECTION 57-815, IDAHO CODE, TO PROVIDE FOR IDAHO AG IN THE CLASSROOM, TO PROVIDE FOR THE IDAHO AG IN THE CLASSROOM FUND, TO PROVIDE FOR THE APPROPRIATION AND USE OF MONEYS IN THE FUND, AND TO PROVIDE FOR THE AUDIT OF FUNDS.

**HOUSE BILL NO. 427**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO PUBLIC WAREHOUSES; AMENDING SECTION 69-202, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE A TERM; AMENDING SECTION 69-203, IDAHO CODE, TO PROVIDE LICENSE REQUIREMENTS FOR PUBLIC WAREHOUSES AND TO MAKE A TECHNICAL

CORRECTION; AMENDING SECTION 69-206, IDAHO CODE, TO REVISE CONDITIONS RELATING TO THE ISSUANCE OR RENEWAL OF PUBLIC WAREHOUSE LICENSES; AMENDING SECTION 69-249, IDAHO CODE, TO REQUIRE CERTAIN LICENSES FOR WAREHOUSEMEN WHO PURCHASE AGRICULTURAL COMMODITIES BY CREDIT-SALE CONTRACTS; AND AMENDING SECTIONS 69-208, 69-262 AND 69-506, IDAHO CODE, TO PROVIDE CORRECT CODE CITATIONS.

**H 420, H 421, H 422, H 423, H 424, H 425, H 426, and H 427** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 351** and **H 354**, by State Affairs Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 355** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 355** pass?"

Roll call resulted as follows:

AYES -- Andrus, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Moyle, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(08), Shirley, Shively, Thomas, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total -- 56.

NAYS -- Barrett. Total -- 1.

Absent and excused--Anderson, Bedke, Clark, McGeachin, Nielsen, Schaefer, Shepherd(02), Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Wood(35). Total -- 13.

Total -- 70.

Whereupon the Speaker declared **H 355** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Monday, January 28, 2008. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:46 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk